

Bill will help mitigate problem with new Medicaid law

Washington, D.C. - Today Congressman Charlie Wilson (D-OH) with bipartisan support introduced legislation that would help counteract a provision that was added to the War Supplemental bill (the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act) and signed into law by the President in the spring. The provision in the War Supplemental could do serious harm to both Medicaid beneficiaries and local pharmacists.

The new law mandates that all Medicaid prescriptions must be written on "tamper resistant" paper in order to be eligible for federal reimbursement beginning October 1, 2007.

The new Medicaid law is designed to prevent fraud and save money. Wilson is committed to identifying and reducing any fraud that may exist in the Medicaid program, but as a result of the short timeframe for implementation he's concerned the provision will have unintended consequences.

Congressman Wilson introduced legislation today that would delay implementation of the new Medicaid law by 6 months.

Similar legislation was recently introduced in the Senate by Ohio Senators Sherrod Brown (D-OH) and George Voinovich (R-OH).

WHY A DELAY IS NEEDED:

Currently, most physicians do not use this type of tamper proof pads, nor are supplies readily available.

Last year, doctors wrote approximately 330 million prescriptions for Medicaid beneficiaries; that's 11 percent of the nearly 3.1 billion total prescriptions written every year. To implement this requirement in less than a week calls for thousands of new prescriptions to be written on these "tamper proof" pads. This leaves small family-owned pharmacies particularly vulnerable; they either turn patients away who don't have prescriptions written on the proper paper or they risk not being reimbursed by the government.

"We all know small businesses can't afford that kind of loss," Rep. Wilson said.

Additionally, state Medicaid agencies have reported that the looming deadline is not possible to meet, as a result of the tight timeline of the legislation. The guidance that states needed to implement the requirement were not issued by Centers for Medicaid and Medicare Services

(CMS) until August 17, which gave states Medicaid agencies roughly six weeks to notify providers, pharmacists, and recipients.

"Pharmacies may end up forced to close up shop if they're not getting reimbursed by Medicaid because their clients' prescriptions aren't on tamperproof pads," Wilson said. "The loss of a rural pharmacy that supplies an underserved area could hurt many of my constituents," Rep. Wilson said.

The concern over implementing the new tamper proof pad law has been written about in USA Today, AP, Congress Daily and several other publications.

"A six month delay is just good common sense," Wilson said. "I want to do the right thing and allow doctors, pharmacists and patients the time needed to study the new law and properly prepare for it."

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